IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

REVIEW PETITION (L) NO.5 OF 2005
IN
CHAMBER SUMMONS NO.112 OF 2003
IN
EXECUTION APPLICATION NO.95 OF 2000
IN
ARBITRATION CASE NO.26 OF 2000

Pushpa D. Shah as the
Sole Proprietorix of
M/s.Deepam Yarn Traders ....Review Petitioner.
V/s.
Smt.Santosh Sharma, the
sold proprietorix of
M/s.Sputnik Ind. & anr. ....Respondents.
And
Dena Bank ....Respondent

Ms.Yogini Gadak i/b. Harakchand & Co. for the review petitioner.

Mr.Tushar Bhawsar i/b. Shukla & Shukla for the respondent- Dena Bank.

CORAM : S.J. VAZIFDAR, J.
DATED : 19TH AUGUST, 2005.

P.C. :

1. It is contended on behalf of the review petitioner that through inadvertence it is recorded in the order that Dena Bank also claims priority in respect of the sale proceeds in O.A. No.2028 of 2002 filed before the Debt Recovery Tribunal. It is observed in the order that it pertains to Gala No.309. In fact as conceded by the learned counsel appearing

on behalf of the respondent - Dena Bank, Dena Bank in O.A. 2028 of 2000 has not claimed priority in respect of Gala No.309. Accordingly, the directions in paragraph 3 of my order to the effect that in all the documents it shall be expressly stated that the sale is subject to the rights of the Dena Bank in O.A. No.2028 of 2000 shall stand deleted. Rest of the order remains.

2. In view of above, the review petition is accordingly disposed of.